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For discussion of the whole problem involved, suggesting a broader ground of decision, see COMMENTS (1917) 27 YALE LAW JOURNAL, 242, 269, criticizing *Macmillan v. London Joint Stock Bank, Limited* [1917] 2 K. B. 439, the decision of the Court of Appeal which the principal case now reverses.

CONSTITUTIONAL LAW—PASSING ACT OVER VETO—NUMBER OF VOTES REQUIRED.—In a criminal prosecution for violating a state statute whose validity depended upon the Webb-Kenyon Act (37 U. S. St. at L. 699), the validity of this Act was attacked upon the ground that it had not been constitutionally passed. It was passed over the President's veto but received in the senate only a two-thirds vote of the Senators present (a quorum) which was less than two-thirds of all the members entitled to sit in the Senate. *Held*, that the Act was legally passed. *Missouri Pac. Ry. Co. v. Kansas* (Jan. 7, 1919) U. S. Sup. Ct. Oct. Term, No. 14.

This decision is of special interest at the present time because of the similarity between the Constitutional provision relative to passing a bill over the President's veto (sec. 7, Art. I) and the provisions empowering "two-thirds of both houses" to propose Constitutional amendments (Art. V). The opinion adverts to this similarity and relies upon Congressional precedent in the passage of Constitutional amendments and upon decisions with respect to the amendment of state constitutions. It is clear, therefore, that opponents of the Prohibition Amendment will have to abandon the argument that that Amendment was not validly proposed because adopted by less than two-thirds of the entire membership of the House and the Senate.

CONTEMPT OF COURT—CONSTRUCTIVE CONTEMPTS—USING POLITICAL PRESSURE TO INDUCE DEFENDANT'S ATTORNEY TO WITHDRAW.—While a divorce suit was pending, the complainant's father threatened the defendant's attorney, who was a candidate for reappointment as city solicitor, with political pressure unless he would cease opposition to the divorce or would withdraw from the case. Contempt proceedings were instituted at the request of the court. *Held*, that the respondent was guilty of contempt. *In re Bowers* (1918, N. J. Ch.) 104 Atl. 196.

The court reasons that the defendant's conduct was an attempt to deprive the court of the services of an officer of the court. Although a novel instance of a constructive contempt, the decision appears clearly sound.

CONTRACTS—IMPOSSIBILITY CAUSED BY ACT OF STATE—FAILURE TO PRODUCE A PRINCIPAL IN COURT.—One G, having been convicted of a misdemeanor, gave an appeal bond conditioned to appear and submit to judgment in case of affirmance. After such an affirmance he failed to appear because in the meantime he had been convicted of murder and imprisoned for a term of 40 years. *Held*, that the bondsmen were excused, since the purpose of the bond was not to secure payment of the fine but to secure the appearance of the principal, and the bondsmen's fulfilment of the condition was rendered impossible by an act of the state itself. *State v. Herber* (1918, Okla.) 173 Pac. 651.

For a discussion of an allied problem see COMMENTS, p. 399, 401, n. 11.

CONTRACTS—RESCISSION—MISREPRESENTATION OF BUYER'S IDENTITY.—Through telegraphic correspondence an individual, purporting to represent a corporation which was actually fictitious, bought a large quantity of linseed oil for future